

Service Date: February 1, 2005

FINAL ORDER NO. 6558

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
P.O. Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF **Wild Trout Outfitters, Inc.**)
dba Mountain Taxi, Big Sky, Montana, application) Docket No. T-04.61.PCN
to amend the authority issued under PSC No. 8995,) Order No. 6558
by removing limitation 3 and limitation 4.)

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On November 26, 2004, **Wild Trout Outfitters, Inc. dba Mountain Taxi**, Big Sky, Montana, filed an application with the Montana Public Service Commission under Title 69, MCA, to amend a Certificate of Public Convenience and Necessity, PSC No. 8995. The authority read:

Class B - Persons and baggage between all points within Madison and Gallatin counties.

Limitations: (1) Transportation must originate or terminate within a twenty (20) mile radius of Big Sky, Montana. (2) Transportation of fifteen (15) passengers or less per vehicle. (3) No transportation may originate within a five (5) mile radius of Bozeman, Montana. (4) Twelve (12) hour reservations for transportation of passengers from Gallatin Field Airport to Big Sky, Montana.

The application was to remove limitations 3 and 4 from the existing authority. If approved the authority would read:

Class B - Persons and baggage between all points within Madison and Gallatin counties.

Limitations: (1) Transportation must originate or terminate within a twenty (20) mile radius of Big Sky, Montana. (2) Transportation of fifteen (15) passengers or less per vehicle.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public December 10, 2004. That notice said in pertinent part:

If no written protests are received by December 29, 2004, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. A protest was filed by Catch-a-Cab Taxi Service, LLC, Bozeman, Montana, the applicant in docket T-04.54.PCN.

4. The protest of Catch-a-Cab Taxi Service LLC, Bozeman, Montana was withdrawn after limiting language was placed on their application in Docket T-04.54.PCN during a public hearing held January 14, 2005.

5. The record of this application is available for inspection at the Public Service Commission Office, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 1701 Prospect Avenue, Helena, Montana, on Tuesday, the 1st day of February, 2005, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-04.61.PCN, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of **Wild Trout Outfitters, Inc. dba Mountain Taxi**, Big Sky, Montana, to amend Certificate of Public Convenience and Necessity, PSC No. 8995, IS GRANTED to the following extent:

Class B - Persons and baggage between all points within Madison and Gallatin counties.

Limitations: (1) Transportation must originate or terminate within a twenty (20) mile radius of Big Sky, Montana. (2) Transportation of fifteen (15) passengers or less per vehicle.

IT IS FURTHER ORDERED that a full, true, and correct copy of this order be sent forthwith by first class mail to the applicant and all parties herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 1st day of February, 2005, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

GREG JERGESON, Chairman

BRAD MOLNAR, Vice Chairman

DOUG MOOD, Commissioner

ROBERT H. RANEY, Commissioner

THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Final Order issued in Docket T-04.61.PCN in the matter of **Wild Trout Outfitters, Inc. dba Mountain Taxi**, Big Sky, Montana has today been sent to all parties listed.

MAILING DATE: February 1, 2005

FOR THE COMMISSION

FIRST CLASS MAIL

Wild Trout Outfitters, Inc.
dba Mountain Taxi
PO Box 160003
Big Sky, MT 59716

Catch-A-Cab Taxi Service LLC
8 Sanders Avenue
Bozeman, MT 59718

AS ITS INTERESTS MAY APPEAR:

Montana Consumer Counsel
616 Helena Avenue
P.O. Box 201703
Helena, MT 59620-1703